

Category #1:

The Guidelines do not adequately protect children's health.

State Response:

The Office of General Services (OGS) agrees that the Guidelines can be improved. However, OGS disagrees with public comments suggesting that the Guidelines are "an adult standard" not intended to protect children.

The Guidelines address the potential for toxic effects from exposure to chemicals in cleaning products in a number of ways. The product cannot contain ingredients that have been identified as capable of causing cancer, developmental or reproductive effects. Certain chemicals suspected to be endocrine disruptors are prohibited product ingredients. In addition, the quantity of volatile organic compounds is limited to low levels, and the Guidelines require that the concentrated product not be acutely toxic, corrosive to skin or eyes, or a skin sensitizer.

These health and environmental requirements are not the result of a traditional risk assessment that couples the characteristic of an exposed population (children and workers) with toxicity information to estimate the likelihood of health effects from appropriate use of the product. Rather, the requirements were developed as a practical approach to eliminating or minimizing exposure to chemicals that cause or potentially cause certain types of health effects, while still maintaining the availability of effective and useful cleaning products. In short, the requirements prohibit or restrict ingredients without regard for the amount of exposure necessary to cause those effects or the likelihood that such exposures would be reached during use. The Permissible Exposure Limits (PELs) established by the Occupational Safety and Health Administration (OSHA) were not used in establishing these criteria.

The Guidelines for cleaning products can be improved in a number of ways, and the OGS is committed to supporting a review and revision of the Guidelines during the next 12-18 months.

Frequently Asked Public Comment:**Standards for Adults Not Children**

--The standards for cleaning products contained in the guidelines were developed for adults, not children. The purpose of the legislation proposed by Governor Pataki and approved by the legislature was, first and foremost, to protect the health of children in New York State schools. All of the parties who supported this legislation understand that children are fundamentally different from adults, that their developing physiology and behavioral patterns make them more sensitive than other populations, and that standards for cleaning products used in schools must recognize and compensate for this fact.

Yet despite the intent of the legislation and the near unanimous agreement regarding the special vulnerability of children, the standard for cleaning products proposed by OGS, Green Seal's GS-37 Standard for Industrial and Institutional Cleaners, is an adult standard, never intended to protect children, pregnant women, their unborn children or sensitive populations within the school environment.

A truly protective standard which fulfills the legal mandate of the legislation can begin with a baseline such as GS-37, but must add additional protective criteria to make it acceptable for schools. The solution, in this case, is what we would call "GS- Plus."

(Patricia J. Wood, Executive Director, Grassroots Environmental Education, Port Washington, New York)

--Strongly urges OGS to modify the draft guidelines to make them truly protective for children.

(Brunnlehrman Family, Hartsdale, NY, Mom, Dad and 2 Children)

-- Make our children safe, reduce harmful products (Pauline Baskin)

--Protect the health of our children, Braces3@aol.com, Syosset, NY

--The development of purchasing guidelines for environmentally sensitive cleaning and maintenance products used in schools presents a unique and critically important opportunity to protect the health and safety of children and school staff throughout the state. Many cleaning and maintenance products currently used in schools contain toxic chemicals, and exposure to these substances have been associated with an increased incidence of environmentally mediated illnesses, including asthma., allergies, learning and behavioral disorders, chemical sensitivity, certain cancers and kidney or liver damage.

Because small, developing bodies are uniquely vulnerable to environmental toxins, standards which have been developed using adult models are not applicable to children. Instead, more protective criteria must be considered which recognize and reflect this fundamental difference. And while efficacy and environmental benefits are important, it is the health and safety of children which must be given the highest priority when evaluating products for use in schools.

(Janet Foley, Director, Occupational Safety and Health, Civil Service Employees Association, CSEA)

--We agree that the purpose of the endeavor is to protect Students and Adults. Young students, in particular, are very different from adults in their responses to chemical exposures. It is primarily due to this fact that we question the Green Seal, Inc. product criteria, based on Personal Exposure Levels (PEL's) and toxic compounds that are allowable below the PEL level. (A) Are there reliable PEL's for children, especially those who are hyper sensitive or asthmatic? (B) Aren't PEL's based on industrial workplace exposure levels? (C) Why isn't Zero (0) a more desirable objective? (D) Why aren't toluene, styrene, ammonia and caustics prohibited? (E) Why are "chemical" pretreatments discussed? (David E. Kincaid, Great Neck School District)

--Please use only safe cleaning materials in our schools!!!! Allergies are on the rise for unknown reasons as it is, and we could be adding to this epidemic needlessly! Please protect the children!

(JOPAP22@aol.com)

--I would like it noted that the "green" cleaning policy should be expanded to include schools. Thank you. (Florence Vitiello)

--Children are far more vulnerable than adults to chemicals. Please do the right thing and pass laws to support the use of safe, "green" products for use in cleaning school buildings and other public buildings used by children. These products are effective and far less damaging over the long term than traditional cleaning products. Take action now to prevent health-damaging affects years from now! Please have the foresight to "do the right thing." Mandate the use of "green" cleaning products in schools statewide!

(Kimberly H. Danforth, M.A., Freelance Writer & Editor, Waterford, NY)

--The purpose of the legislation proposed by Governor Pataki and approved by the legislature was, first and foremost, to protect the health of children in New York State schools. All of the parties who supported this legislation understand that children are uniquely vulnerable making them more sensitive than other populations, and that standards for cleaning products used in schools must recognize and compensate for this fact. The legislation, in its first paragraph, clearly states that children are uniquely vulnerable and may be severely affected by exposure to cleaning and maintenance chemicals used in school environments. I urge you to re-evaluate the proposed products to be used to clean our children's schools. Children are children, not little adults. The products proposed for use were developed for adults in offices not children in schools. Please re-evaluate and come up with products that will be safe for our children.

(Beth Bernstein M.D., Ph.D)

--Thank you for being one of the first states to address this issue in our schools. My children have had numerous side affects from chemicals used in school. It is great that we as a state are trying to address this issue. However, it would be even better if you could coordinate your acceptable list of cleaning agents with Claire Barnett of the Healthy Schools Network in Albany. I have worked with her agency in the past to accomplish some well needed accommodations for my son in our elementary school. Their guides are filled with excellent information. For example, I foil requested each inspection required to be performed in our school. I found out why my son was so sick. A new heating system was put in immediately and radon remediation was installed soon after. (Let's not talk about how ugly it had to get to accomplish this.) My son went from missing double digits in school days and taking 7 drugs daily... to zero days out and drug free. The Healthy Schools Network is your best source if you truly want to make a difference. The current list for acceptable chemicals is for an adult in the workplace, not a child in a school. For the policy to be effective it needs to be updated with an appropriate chemical list. To this day, my children do not sit on the rugs during instruction time in the classroom due to pesticides, chemicals, and related reactions from the carpets. However, my oldest son is OFF DRUGS AND IN SCHOOL (no days absent for 2 years straight.) Thank you for your time and I hope you decide to incorporate the Healthy Schools Network's list of acceptable chemicals/ cleaning agents in your policy.
(Jeanette Walsh, Syosset, NY)

--I support that we make it mandatory that schools follow OGS's Green Cleaning Guidelines to our schools. I use cleaning products on the three tables in my classroom about five times per class; that's ten times a day. We need to be using safe products. Please allow this to be possible. (Nicole Smith, Preschool Teacher, Camillus, NY)

--Stop Poisoning Me! A Poem By Margaret Cooke (School Age Child)

You bring thies poisons into my school through the cleaning suplyes, this is NOT cool! Stop Poisoning Me! You must understand, this can NOT be! I don't want athma! I don't want autism! Get rid of them! Please, STOP Poisoning Me!
(Was with Grassroots Group at Press Conference Held on Monday, May 15, 2006)

--Dear Office of General Services: Please Make Sure Cleaning Products in School Are Safe for Kids. (Included Drawing showing kids in a classroom setting sniffing and sneezing etc.
(Signed By Tobias, School Age Child) (Was with Grassroots Group at Press Conference Held on Monday, May 15, 2006)

--Dear Commissioner, Please make sure our schools are safe for us. Thank you. (Signed By Aidan Owens, School Age Child) (Was with Grassroots Group at Press Conference Held on Monday, May 15, 2006)

--Dear Sir: My name is Dana. I have asthma. I have difficult time breathing at school. I'm in the Nurse's Office all the time. I miss a lot of classes and have to make up the work at home. Please take the chemicals out of my school. Please pass GS-Plus. I deserve a better environment to attend school. Thank you for listening.
(Signed By: Dana M. Sevely, 9 year old child, Manhasset, NY) (Was with Grassroots Group at Press Conference Held on Monday, May 15, 2006)

--Dear Sir: My name is Nicole. I have a neuro-biological disorder. I attend a special school where all of the children have neuro-biological disorders. There are a lot of us! I understand there are thousands of kids with neuro-biological disorders on Long Island alone. Please remove the chemicals from our schools. These chemicals are bad for us kids. Please pass GS-Plus. Thank you. (Signed By: Nicole C. Sevely, 12

year old child, Manhasset, NY) (Was with Grassroots Group at Press Conference Held on Monday, May 15, 2006)

--Children are more heavily exposed to environmental toxins than adults. They consume more food, water, and have higher inhalation rates per pound of body weight than adults. To account for inhalation exposure to young children with greater sensitivities, the guidelines fall short in protecting children; especially those with asthma. When evaluating MSDS data, it is important to understand that EPA regulations require that chemical manufacturers submit test data regarding the potential health effects of new products only for full grown adults weighing more than 150 pounds. Since the GS-37 Standard for Industrial and Institutional Cleaners are an adult standard, I am requesting OGS revise the guidelines in (7) areas.
(Dr. Daniel Lefkowitz, Yorktown Heights, NY)

--The exclusive use of the GS 37 guidelines is disappointing in that they are developed for the average adult. Children, adults with compromised health conditions or pregnant women and their developing fetuses should have more protective criteria for products used in schools. The following requests for amendments to the guidelines are intended toward that goal. Improving school environments to protect children's health in particular is a clear intention of the legislation.
(Katherine Kelleher of (NYSUT) NYS United Teachers)

--On behalf of my members and governing board I strongly urge you not to pass the guidelines for cleaning that are not appropriate for young children., Asthma has been on the rise for quite some time and the environments we send our children to school in must be free from anything that might make their condition worse. Thank you.
(Patricia A Myers, Executive Director, New York State Association for the Education of Young Children, Albany, NY)

--I would like to provide comment and guidance on the proposed cleaning guidelines. I have been working with the special needs of children and individuals with chemical hypersensitivity for many years. In fact Environment Canada's Environmental Choice created a specific Environmental Choice Program designed specifically for the needs of individuals with chemical hypersensitivity - CCD 146 1. To date I believe we are still the only company with products certified under this standard, in addition we work closely with the Envirosesic Certification consulting group that specialize in maximizing indoor air quality and certifying products and services that meet the needs of chemical sensitive individuals.
(Michael Rochon, Cogent Environmental Solutions, Caledon, ON, L0N 1C0)

--Thank you for providing INFORM with the opportunity to share our expertise with the Office of General Services during the past few months. I recognize that developing specifications and guidelines for cleaning K-12 schools in New York State is a monumental task that carries broad human health, legal, and environmental implications. The many environmental, human health, governmental, and industry organizations that have passionately and loudly expressed their interests in this matter have made this task more difficult. As a result, it has been, and continues to be, a challenge for your organization to develop specifications and guidelines that best serve everyone, including the children who attend the state's hundreds of K-12 schools.

INFORM, a 33-year-old, national, nonprofit environmental research organization, specializes in analyzing innovative business practices, technologies, and products that can improve the efficiency with which our country uses its natural resources while preventing waste and contamination at their source to the greatest extent possible. Published in in-depth reports and articles, INFORM's research is widely publicized in the press and used extensively by government, business, and environmental leaders to shape environmental

policies and programs.

The “green cleaning” law, passed unanimously by the State Assembly and signed by Governor Pataki, recognizes children’s vulnerability to chemical exposures, and it requires the use of “environmentally sensitive” cleaning “products that minimize adverse impacts on children’s health and the environment.” “Green” cleaning products replace highly toxic traditional products that have real and measurable human health effects. A new generation of cleaning chemicals is widely available. They are safer for use and safer to use around children because they do not contain many of the asthmagens, carcinogens, endocrine disruptors, and other ingredients that have severe human health impacts.

(Cameron S. Lory, Senior Associate, Chemical Hazards Prevention Program Coordinator, INFORM, Inc., New York, NY)

--The Consumer Specialty Products Association (CSPA) appreciates the opportunity to comment on the Office of General Services (OGS) Environmental Services Unit's (ESU's) Proposed Guidelines and Specifications for the Procurement and Use of Environmentally Sensitive Cleaning and Maintenance Products for All Public and Nonpublic Elementary and Secondary Schools in New York State.¹ CSPA commits to working cooperatively with the OGS in developing pragmatic and scientifically supportable guidelines and specifications that implement recently enacted legislation (SB 5435)² and Governor Pataki's Executive Order 134.³

CSPA commends New York State's efforts to protect children and employee health by enabling schools to select products that both clean effectively and minimize adverse impacts on children and employee health and the environment. While we appreciate the intent of the guidelines, we have concerns with several of the statements and provisions included in the proposal. Specifically, we will address issues concerning:

- Adherence to the FTC Guides for the Use of Environmental Marketing Claims
- Sole Reliance on Non-Governmental Organizations' Certifications
- Exclusivity and Limitations of the Green Seal Standards
- Arbitrary Exclusion of Disinfectant and Sanitizing Products
- Proposed VOC Limits and Preference for Concentrates Are Arbitrary and Would Exclude Certain Products
- Focus on Cleaning Activities and Processes Used in the Entire School Building
- Substantiation of Products Meeting Appropriate Environmental Criteria
- Impact on Small-Medium Enterprises (SMEs)

¹ The proposed guidelines and specifications (and other pertinent documents) are posted on the OGS Environmental Services Unit's "Green Cleaning" webpage at: <http://www.ogs.state.ny.us/bldgadmin/environmental/default.html>.

² SB 5435 amended New York State Education Law and State Finance Law to require the procurement and use of environmentally sensitive" cleaning and maintenance products in schools.

³ EO 134 directs OGS to develop guidelines for all state agencies to procure and use "non-toxic" cleaning products in public buildings. See <http://www.ogs.state.ny.us/purchase/spg/pdfdocs/EQ134.pdf>.

Statement of Interest

CSPA is a voluntary, non-profit national trade association representing more than 260 companies engaged in the manufacture, formulation, distribution, and sale of chemical specialties products for household, institutional, commercial and industrial use. CSPA member companies' wide range of products includes home, lawn and garden pesticides, antimicrobial products including disinfectants and sanitizers, air care products, automotive specialty products, detergents and cleaning products, polishes and floor maintenance products, and various types of aerosol products. Many CSPA member companies sell products that are

purchased by New York State schools, agencies and contractors for use in schools and state owned/maintained facilities.

Commercially formulated institutional products perform important functions and provide significant environmental, public health and safety benefits. For example, cleaning products, many of which serve to disinfect and sanitize provide important public health benefits in reducing the transmission of infectious organisms on institutional surfaces that can have deleterious effects on people's health and well-being; and in food preparation areas to help aid food safety and sanitation efforts by protecting against food-borne illnesses caused by microbial contamination. In addition, carpet cleaning, polishes and floor maintenance products help extend the life of durable goods on which they are used, such as floors, furniture, fixtures, carpets, and other fabrics.

(Robert J. Kiefer, Director, Scientific and International Affairs and Joseph T. Yost, Director, State Affairs, (CSPA), Consumer Specialty Products Assoc., Washington, DC)

--Supporters of GS-Plus (Grassroots): (1) Standards for cleaning products contained in the guidelines were developed for adults, not children, (2) Guidelines should not permit added fragrances, (3) Guidelines should not permit VOC levels exceeding 1% by weight, (4) Guidelines should not permit known endocrine disruptors, (5) Guidelines do not address cleaning products brought into schools by others, (6) Guidelines do not address air fresheners and (7) Lack of standards for floor care products.

Supporter of GS Plus - Karen Proy, Mother of 4, 2 with disabilities, Ken-Ton School District

Supporter of GS-Plus, Lori Zaintz

Supporter of GS-Plus, GABY52@aol.com

Supporter of GS-Plus, Patty Bellon, Guidelines not strong enough

Supporter of GS-Plus, Anita Conway, North Salem, NY

Supporter of GS-Plus, Marion Renda

Supporter of GS-Plus, Donna Gutierrez, Mother of Child with Neurobiological Disorder, Current and Past PTA President for children with special needs,

Old Bethpage, NY

Supporter of GS-Plus, Allison Stabile, Mamaroneck, NY, Parent, as well as Environmental Activist in Westchester area for 12 years

Supporter of GS-Plus, Tony Gelber, Mamaroneck, NY, Parent, as well as Environmental Activist in Westchester area for 12 years

Supporter of GS-Plus, (CMolinari@Eastchester.k12.ny.us), Christina Molinari

Supporter of GS-Plus, Joe Conway, North Salem, NY, Members of his family have experienced adverse affect of toxic cleaning

Supporter of GS-Plus, Teresa Glasser

Supporter of GS-Plus, Joseph Petersen, Manhasset, NY

Supporter of GS-Plus, (Batlo4@aol.com)

Supporter of GS-Plus, Aurora Diamond

Supporter of GS-Plus, Patricia Hysert, Tonawanda, NY

Supporters of GS-Plus, Joni and Bill Simon, Port Washington, NY

Supporters of GS-Plus, Ellen and William Weininger, Scarsdale, NY

Supporter of GS-Plus, Donna L. Franchini, Okte School Parent

Supporter of GS-Plus, Maureen Dolan Murphy, West Islip, NY

Supporter of GS-Plus, Constance Goldman, Parent of three young school age children

Supporter of GS-Plus, Kim Larson of Mount Kisco, NY

Supporter of GS-Plus Lisa Fyfe, Parent of Child in the South Huntington School District

Supporter of GS-Plus, Katie Gingsberg

Supporter of GS-Plus Sarah Anker, Community Health and Environment Coalition, Mt. Sinai, NY

Supporter of GS-Plus, ANITA Voetsch [VOETSCHA@harrisoncsd.org]

Supporter of GS-Plus, Grace Polakoff, Harrison, NY

Supporter of GS-Plus, Roberta Glick
Supporter of GS-Plus, Cheryl Craigie, Wynantskill, NY
Supporter of GS-Plus, Frank Martinetti of Yonkers, NY
Supporter of GS-Plus, Felicia Colangelo of New Rochelle, NY (FColangelo@iona.edu)
Supporter of GS-Plus, Amyp39@aol.com
Supporter of GS-Plus, Rochelle Yankwitt of White Plains
Supporter of GS-Plus, alicedr@juno.com
Supporter of GS-Plus, Sharon Haley of Woodbury, NY
Supporter of GS-Plus, Rosemarie Pace of Middle Village, NY
Supporter of GS-Plus, Roberta Wiernik, Chappaqua, NY
Supporter of GS-Plus, Tobi Morrison
Supporter of GS-Plus, Liane Carter of Scarsdale, NY (Parent of child with Autism)
Supporter of GS-Plus, Donna Persic
Supporter of GS-Plus, Morton Shor, Somers NY
Supporter of GS-Plus, Anna Marie Turigiano of Westbury, NY
Supporter of GS-Plus, Anne Margolis of Syosset, NY
Supporter of GS-Plus, Charlotte Blessing, Supporter of GS-Plus, Concerned Parent
Supporter of GS-Plus, Kristine Hightower of Harrison, NY, Parent of School Children
Supporter of GS-Plus, Susan Groner, Parent
Supporter of GS-Plus, Suzanne Adelhardt, Parent of Young Child, Asthma Sufferer Herself
Supporter of GS-Plus, Cheryl Tribbley of Wantagh, NY, Parent
Supporter of GS-Plus, Kerry Shovlin of Seaford, NY (Parent of 1st Grader)
Supporter of GS-Plus, Marjorie Madfis, Parent of Child w/Autism, White Plains Resident, Tax Payer, and Concerned Citizen
Supporter of GS-Plus, Kathleen Conner, Ballston Lake, NY, Parent of Asthmatic Child
Supporter of GS-Plus, Joseph Lowndes Sevely (See 1q. and 1r.) (Was with Grassroots Group at Press Conference Held on Monday, May 15, 2006)
Supporter of GS-Plus, Annette Weininger, White Plains, NY, Grandmother of two, both grandchildren buffer from asthma
Supporter of GS-Plus, Kirsten Brashares, Mother of 7 and 4 year old in NYC Public Schools
Supporter of GS-Plus, Kathryn Creagen (kcreagen@ic.sunysb.edu)
Supporter of GS-Plus, Heather Gring, Buffalo, NY
Supporter of GS-Plus, Cathie McCullough, Director of Garden City Community Church Nursery School, Garden City, NY
Supporter of GS-Plus, Sarah Eckel, Buffalo, NY
Supporter of GS-Plus, Syamala Krishnamsetty
Supporter of GS-Plus, Karen Daigler, Cheektowaga, NY
Supporter of GS-Plus, Andrea Smith, Waverly, NY
Supporter of GS-Plus, Erica Saben, Buffalo, NY
Supporter of GS-Plus, Glenn Kaufman, Principal
Supporter of GS-Plus, Alan Napack, Senior Director Retail Services Group, Cushman & Wakefield, New York, NY
Supporter of GS-Plus, Sharon Schneider, National Chairperson, Afterschool Play, The American Association for the Child's Right to Play, Franklin Square, NY
Supporter of GS-Plus, Shail Sheth
Supporter of GS-Plus, Anita Marshall
Supporter of GS-Plus, Lori Greifer
Supporter of GS-Plus, Jeffrey Linderman
Supporter of GS-Plus, Adina Hatch, Mother of 5 year old with asthma. 5 year old is starting kindergarten

next year.

Supporter of GS-Plus, Hope Newman

Supporter of GS-Plus, Hillary Fluk

Supporter of GS-Plus, Melissa Ebner, Registrar/Child Development Specialist, Day Care & Child Development Council of Tompkins County, Ithaca, NY

Supporter of GS-Plus, Debbie Sharkey, Henry Kaufman & Company, New York, NY

Supporter of GS-Plus, Audrey S. Blumberg, Ph.D., Sr. Associate Provost, Adelphi University

Supporter of GS-Plus, Lydia Carlston

Supporter of GS-Plus, Sofia Kozlova

Supporter of GS-Plus, Rebecca John

Supporter of GS-Plus, Bruce Gitlin

Supporter of GS-Plus, Lisa L. Suhadolink

Supporter of GS-Plus, No Name Listed, Mother of a 3 ½ year old daughter Ella whose Nursery School

switched to a non-toxic cleaning program and a son Will who is in the 1st grade and is terribly plagued with allergies and environmentally induced asthma and whose school does not follow such a program and therefore he doesn't enjoy the same clean environment as his sister. (Was with Grassroots Group at Press Conference Held on Monday, May 15, 2006)

Supporter of GS-Plus, Carole J. Sevely of Manhasset, NY (See 1q. and 1r.) (Was with Grassroots Group at Press Conference Held on Monday, May 15, 2006)

Supporter of GS-Plus, Katie Wood, grew up in Port Washington, NY and currently, lives in Cambridge, MA. Hopes to move back to the NY area soon, and raise her family there. She thinks that the green cleaning legislation for schools is critical to the health of NY's children. She remembers being a student and feeling really ill in the morning when the chemicals used for cleaning had been there all night in the closed classroom. Even during the day, desks and tables were being wiped down. She totally understands the desire to keep desks and doorknobs clean- you want to keep kids healthy! Now make sure that you do the rest of that job--don't allow dangerous chemicals (or fragrances of any kind) in NY's classrooms! Massachusetts has already banned fragrances -- don't lag behind! (She is a Development Assistant/Grantwriter for The Guidance Center, Inc. in Cambridge, MA)

Supporter of GS-Plus, Joshua Newman, New York, NY

Supporter of GS-Plus, Alexandra Jennison, Rec'd 5/18 @ 8:09am

Supporter of GS-Plus, Laurie Jones, On Your Way Up, Group Family Daycare, Camden, NY, Rec'd 05/18/06 @ 1:46pm